

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

DAMION NEVILLS,

Plaintiff,

v.

JONATHAN HILDRETH,

Defendant.

Case No. 18-12200

SENIOR U.S. DISTRICT JUDGE
ARTHUR J. TARNOV

U.S. MAGISTRATE JUDGE
DAVID R. GRAND

**ORDER ADOPTING REPORT AND RECOMMENDATION [43]; DENYING
DEFENDANT’S RENEWED MOTION FOR SUMMARY JUDGMENT [31]**

On July 13, 2018, *pro se* Plaintiff Damion Nevills filed this prisoner civil rights action pursuant to 42 U.S.C. § 1983 against Defendant Jonathan Hildreth, a Corrections Officer of the Michigan Department of Corrections (“MDOC”). On February 12, 2020, the Court adopted the Magistrate Judge’s recommendation to grant in part and deny in part Defendant’s Motion for Summary Judgment [12] and allowed Defendant to file a renewed motion supported by appropriate evidence. (ECF No. 32). Defendant filed a Renewed Motion for Summary Judgment [31] on February 6, 2020. Plaintiff filed a Response [37] on March 30, 2020. Defendant filed a Reply [41] on May 14, 2020.

On July 7, 2020, the Magistrate Judge issued a Report and Recommendation (“R&R”) [43] recommending that the Court deny Defendant’s Renewed Motion for Summary Judgment [31]. Neither party having filed an objection to the R&R and the Court having reviewed the record, the R&R [43] is hereby **ADOPTED** and entered as the findings and conclusions of the Court.

Accordingly,

IT IS ORDERED that the R&R [43] is **ADOPTED**.

IT IS FURTHER ORDERED that Defendant’s Renewed Motion for Summary Judgment [31] is **DENIED**.

SO ORDERED.

Dated: August 26, 2020

s/Arthur J. Tarnow
Arthur J. Tarnow
Senior United States District Judge